

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BBK TOBACCO & FOODS LLP,

Case No. 20-10025

Plaintiff,

Stephanie Dawkins Davis

v.

United States District Judge

WISH SELLER GOOSHELLY, et al.,

Defendants.

_____ /

ORDER TO SHOW CAUSE

Plaintiff BBK Tobacco & Foods LLP filed this cause of action against Wish Seller Gooshelly and 40 other Defendants alleging trademark infringement. (ECF No. 1). Defendants are merchant accounts located in China. (ECF No.16). On May 11, 2020, Magistrate Judge Whalen granted BBK's motion for alternate service, allowing Plaintiff to serve Defendants via email. (ECF No. 18). On May 16, 2020 Plaintiff filed the email receipts of service with this court, showing that it served Defendants via email on May 12th and 13th. (ECF No. 19-1). BBK settled with one Defendant, Wish Seller Home Mall1, on August 13, 2020. (ECF No. 27). No other Defendants have entered an appearance in this matter or responded to the complaint. Plaintiff has not pursued any further action in this matter in response to Defendants' failure to respond to service.

Pursuant to Fed. R. Civ. P. 41(b), a federal court may *sua sponte* dismiss a claim for failure to prosecute. *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629 (1962); *Nye Cap. Appreciation Partners, L.L.C. v. Nemchik*, 483 F. App'x 1, 9 (6th Cir. 2012). Based on the foregoing, Plaintiff is ORDERED to show cause in writing by **December 23, 2020**, why the undersigned should not dismiss the complaint for failure to prosecute.

SO ORDERED.

Dated: December 17, 2020

s/Stephanie Dawkins Davis
HON. STEPHANIE DAWKINS DAVIS
United States District Court Judge